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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 MICHAEL R. JONES,

No. 2:11-CV-2799-MCE-CMK

12 Plaintiff,

13 vs.

ORDER

14 OFFICE OF WORKERS' COMP.
15 PROGRAMS,

16 Defendant.
_____ /

17 Plaintiff, who is proceeding pro se, brings this civil action under the Privacy Act
18 and Freedom of Information Act. Pending before the court is plaintiff's motion to disallow and
19 expunge (Doc. 19) defendant's March 21, 2012, status report, which was not addressed in the
20 court's March 29, 2012, order following a status conference held the day before.

21 In his motion, plaintiff argues that defendant's status report should be stricken
22 from the record because it was not filed in time. In the court's November 15, 2011, order setting
23 the initial status conference, the parties were directed to "submit to the court and serve by mail
24 on all other parties, no later than seven days before the Status (Pretrial Scheduling) Conference, a
25 status report. . . ." A review of the record reflects that defendant's status report was timely
26 served and filed on March 21, 2012. Plaintiff's statement that defendant's status report was not

1 served until March 23, 2012, is incorrect.

2 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion to disallow and
3 expunge (Doc. 19) is denied.

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5 DATED: January 16, 2013

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7 **CRAIG M. KELLISON**
8 UNITED STATES MAGISTRATE JUDGE
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